

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MATTHEW GRAVES,  
Plaintiff,

v.

PATRICK COVELLO,  
Defendant.

Case No. 21-cv-03186-JCS

**SECOND ORDER TO SHOW CAUSE  
(AMENDED)<sup>1</sup>**

Petitioner Matthew Graves, who is represented by counsel, brings a petition seeking federal habeas relief from his state conviction in San Mateo County Superior Court, case 16-NF-011327-A (“the State Action”). On July 11, 2021, the Court issued an Order to Show Cause (“OSC”), finding that Petitioner’s claims were sufficient under 28 U.S.C. § 2254 to warrant a response. It therefore set a deadline of October 12, 2021 for the Respondent to file an answer or dispositive motion. Dkt. no. 7. A docket entry dated July 12, 2021 states that the OSC was served by email on the California Attorney General. No response to the OSC was filed by Respondents. Petitioner also did not file any further pleadings. Accordingly, for the reasons set forth in the OSC, the Court orders that Respondent shall file an answer or dispositive motion in response to the habeas petition no later than **July 24, 2023**.

The Clerk is instructed to serve this Amended Order on the California Attorney General by

<sup>1</sup> This Order is amended to remove a reference to a clerical error that the Court believed had occurred in connection with service of its July 11, 2021 Order on the Attorney General of the State of California. Upon further investigation, the Court has found no indication of a clerical error but also has been unable to determine whether the California Attorney General received that Order. Therefore, the Court has issued this Second Order to Show Cause to ensure that Respondent receives notices of the Court’s OSC. In this amended order, the Court has also removed the instructions for the Clerk relating to service contained in dkt. no. 8 as the Clerk has already served those documents and inserted instead instructions for service of this order.

email at the email address listed in dkt. no. 8 and by mail on the Petitioner.

**IT IS SO ORDERED.**

Dated: May 25, 2023



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JOSEPH C. SPERO  
United States Magistrate Judge

United States District Court  
Northern District of California